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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MEMO ENDORSED

In re INDYMAC MORTGAGE-BACKED
SECURITIES LITIGATION

Master Docket No. 09-Civ. 04583 (LAK)
ECF CASE

This Document Relates To:
ALL ACTIONS

**NOTICE OF LEAD PLAINTIFFS' RENEWED MOTION FOR
APPROVAL OF DISTRIBUTION PLAN FOR NET SETTLEMENT FUNDS**

PLEASE TAKE NOTICE that, upon the accompanying Affidavit of Jason Rabe Regarding (A) Processing of Claim Forms, (B) Calculations of Recognized Claims Pursuant to the Plan of Allocation, and (C) Proposed Plan for Distribution of Net Settlement Funds (“Rabe Affidavit” or “Rabe Aff.”),¹ submitted on behalf of the Court-approved Claims Administrator, Rust Consulting, Inc. (“Rust” or the “Claims Administrator”), as well as Lead Plaintiffs’ Memorandum of Law In Support of Renewed Motion for Approval of Distribution Plan for Net Settlement Funds, and the prior record herein, Lead Plaintiffs Wyoming Retirement System and Wyoming State Treasurer hereby move this Court before the Honorable Lewis A. Kaplan, to enter the accompanying [Proposed] Order Approving Distribution Plan for Net Settlement Funds (the “Distribution Order”), that will, *inter alia*:

- (i) approve the administrative determinations of Claims Administrator with respect to the acceptance or rejection of timely submitted Claims;
- (ii) approve acceptance by the Claims Administrator of otherwise valid Proof of Claim Forms submitted after the January 28, 2015 deadline but on or before March 15, 2017;
- (iii) establish March 15, 2017, as the bar date after which no new claims will be allowed;
- (iv) direct the distribution of the available Net Settlement Funds to Authorized Claimants whose Claims have been recommended for acceptance and approved by the Court according to the distribution plan, which plan provides for a two-stage distribution to permit a reserve for contingencies that may arise;

¹ Unless otherwise defined, the capitalized terms used herein shall have the meanings set forth in the Rabe Affidavit, the Amended Stipulation and Agreement of Partial Settlement, dated July 31, 2012 (the “Individual Defendant Settlement Stipulation”) (ECF No. 365-1), the Amended Stipulation and Agreement of Settlement, dated September 19, 2014 and filed September 22, 2014 (the “Underwriter Defendant Settlement Stipulation”) (ECF No. 539-1) (collectively, the “Stipulations”), and notices of pendency of class action settlements mailed in connection with both the Underwriter Defendant Settlement and the Individual Defendant Settlement (collectively, the “Notice Packets”).

- (v) direct that all distribution checks state that the checks must be cashed within 90 days after the issue date;
- (vi) release claims related to the administration process; and
- (vii) authorize destruction of paper copies of the Proof of Claim Forms one (1) year after the final distribution of the Net Settlement Funds and all electronic copies and supporting documentation of the Proof of Claim Forms three (3) years after the final distribution of the Net Settlement Funds.

The proposed Distribution Order is submitted herewith for the Court's consideration.

Dated: March 17, 2017

Respectfully submitted,

BERMAN DEVALERIO

By: /s/ Nicole Lavallee
Nicole Lavallee (admitted *pro hac vice*)

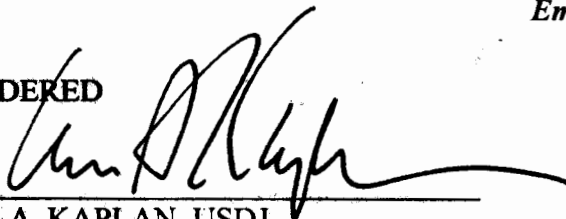
Modified in that the date "March 15, 2017" is changed to "May 15, 2017" wherever it appears in this Notice of Motion and, as modified, granted.

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Class Counsel, Counsel for Lead Plaintiffs, the Wyoming State Treasurer and Wyoming Retirement System, and Counsel for Settlement Class Representative the Los Angeles County Employees Retirement Association

SO ORDERED



LEWIS A. KAPLAN, USDJ

4/18/17